



Railways and Transport Safety Act 2003

2003 CHAPTER 20

PART 1

INVESTIGATION OF RAILWAY ACCIDENTS

Investigation by Branch

9 Regulations

- (1) The Secretary of State may make regulations about the conduct of investigations by the Rail Accident Investigation Branch; in particular, the regulations may—
 - (a) confer a function on the Chief Inspector of Rail Accidents or on the Branch;
 - (b) make provision about the way in which a function of the Chief Inspector or the Branch is to be performed;
 - (c) permit or require the Chief Inspector to appoint a person to conduct or participate in an investigation;
 - (d) provide for a power of an inspector to be exercisable by a person conducting or participating in an investigation by virtue of paragraph (c);
 - (e) permit or require the Chief Inspector to request assistance from another person;
 - (f) permit or require another person to assist the Chief Inspector.
- (2) The regulations may make provision about the preparation, form, content and publication of a report made by the Branch under section 7; in particular, the regulations may—
 - (a) require a report to address the question of what caused an accident or incident;
 - (b) require or permit a report to make, or not to make, a recommendation;
 - (c) require or permit the preparation and publication by the Branch of an interim report;
 - (d) require the Branch to give an opportunity to a person interested in an investigation to comment on a draft report or draft interim report;

Changes to legislation: There are currently no known outstanding effects for the Railways and Transport Safety Act 2003, Section 9. (See end of Document for details)

- (e) require the Branch to notify a person of the content of a report or interim report before publication;
 - (f) require the Branch to give a copy of a report or interim report to a person;
 - (g) make provision about the timing of publication.
- (3) A reference to a report by the Branch in section 7 includes a reference to an interim report permitted or required by virtue of subsection (2) above.
- (4) The Secretary of State may make regulations about the use, disclosure and destruction of information acquired by the Branch; in particular, the regulations may—
- (a) prohibit the disclosure of information in specified circumstances;
 - (b) permit the disclosure of information in specified circumstances;
 - (c) require the disclosure of information in specified circumstances;
 - (d) make provision by reference to whether or not a person consents to a disclosure which relates to him.
- (5) Regulations under this section may—
- (a) create an offence (but not an offence punishable by imprisonment);
 - (b) confer a discretionary function;
 - (c) confer jurisdiction on a court or tribunal.

Commencement Information

II S. 9 in force at 17.10.2005 by [S.I. 2005/1991](#), [art. 2\(1\)\(2\)\(ix\)](#)

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